

January 17, 2013

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: Corrected Notice of Ex Parte Communications  
The Weather Channel  
MB Docket No. 12-107

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Dear Ms. Dortch:

Attached please find a complete version of a notice of *ex parte* communication filed on January 16, 2013, on behalf of The Weather Channel in the above-referenced docket. The original filing omitted an attachment, which is included in the attached submission.

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, 47 C.F. R. Section 1.1206(b)(2), a copy of this letter is being filed electronically and a copy is being provided to the office of each Commission participant in the meeting.

Please contact me if you have any questions regarding this matter.

Sincerely,

/s/

Jason E. Rademacher  
Counsel for The Weather Channel

Attachment

cc (via email):

Michelle Carey  
Steven Broeckaert  
Diana Sokolow  
Jeffrey Neumann  
Maria Mullarky  
Brenda Villanueva  
Karen Pelz Strauss  
Rosaline Crawford  
Eliot Greenwald

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Ms. Marlene H. Dortch  
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Federal Communications Commission  
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Re: Notice of Ex Parte Communication  
The Weather Channel  
MB Docket No. 12-107

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Dear Ms. Dortch:

The Weather Channel, LLC ("TWC") is submitting this letter to report on a meeting with Commission staff regarding the above-referenced docket.

On January 14, 2013, Bryson Koehler, Executive Vice President and Chief Information Officer, George Callard, Executive Vice President and General Counsel, Freddy Flaxman, Vice President, Content and Operations, John Menzies, Senior Director, Localization Systems Development, and Jason E. Rademacher and the undersigned, as counsel for TWC, met with Michelle Carey, Steven Broeckaert, Diana Sokolow, Jeffrey Neumann, Maria Mullarkey, and Brenda Villanueva of the Media Bureau and Karen Pelz Strauss, Rosaline Crawford, and Eliot Greenwald of the Consumer and Governmental Affairs Bureau. Mr. Flaxman presented the attached power point presentation and the participants discussed issues raised therein and in TWC's comments in this proceeding. In particular, the parties discussed TWC's localization strategies and the obstacles it would face in implementing a secondary audio channel solution to the accessibility issues raised in this docket. TWC also expressed support for the National Association of Broadcasters' comments regarding the time necessary to comply with the new rules proposed in this proceeding.

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, 47 C.F. R. Section 1.1206(b)(2), a copy of this letter is being filed electronically and a copy is being provided to the office of each Commission participant in the meeting.

Please inform the undersigned if you have any questions regarding this matter.

Sincerely,

/s/

David J. Wittenstein  
Counsel for The Weather Channel

Attachment

cc (via email):

Michelle Carey  
Steven Broeckert  
Diana Sokolow  
Jeffrey Neumann  
Maria Mullarky  
Brenda Villanueva  
Karen Pelz Strauss  
Rosaline Crawford  
Eliot Greenwald



# **Severe weather alerts**

**FCC presentation, January 14<sup>th</sup>, 2013**



# The Weather Channel has become the premiere destination for local weather coverage, especially during severe events

## Rationale

## The Weather Channel...

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### Distribution

- Serves 100M subscribers to US multichannel video services
- Represents one of only two fully distributed cable networks
- Operates Weatherscan, a 24-hour all-local weather network, in 14M cable homes

### Audience trust

- Was rated the #1 most trusted TV brand by Brand Asset Evaluator
- Has been top 5 most-valued cable channel in last 12 annual Beta Brand Research Studies
- Overindexes in surveys of cable viewers on being trustworthy, informative, and reliable

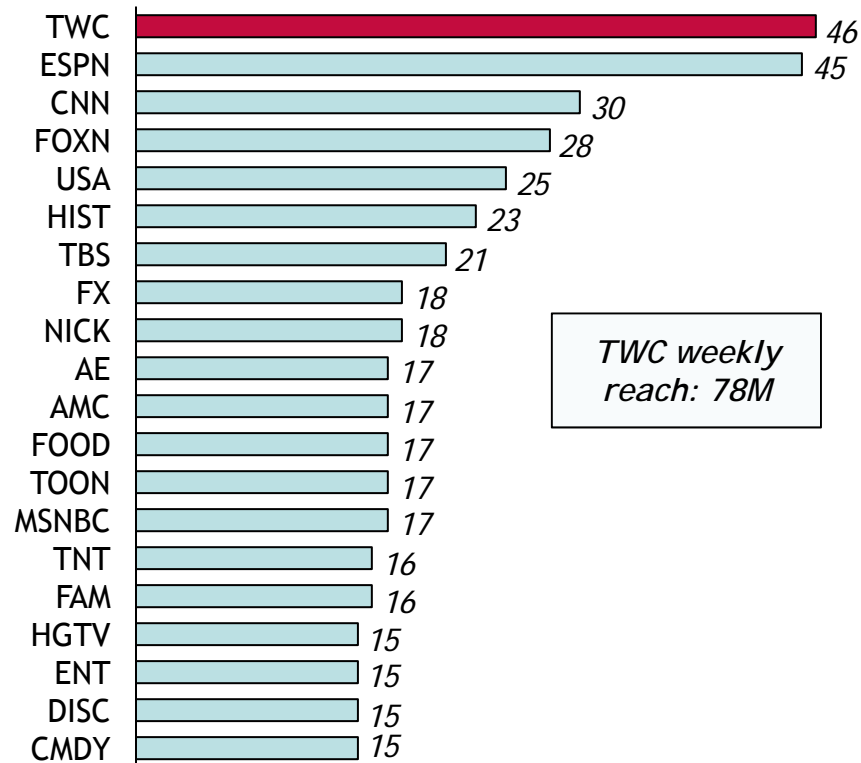
### Technology

- Built patented Emmy-award winning hardware (Weather Stars) to provide local content
- Installed thousands of Weather Stars across the entire United States
- Provides localized forecasts, weather alerts, and breaking severe weather news

# As a result, viewers turn to The Weather Channel during severe weather events both on a national level...

On Hurricane Sandy's landfall day, TWC ranked #1 in reach among cable networks

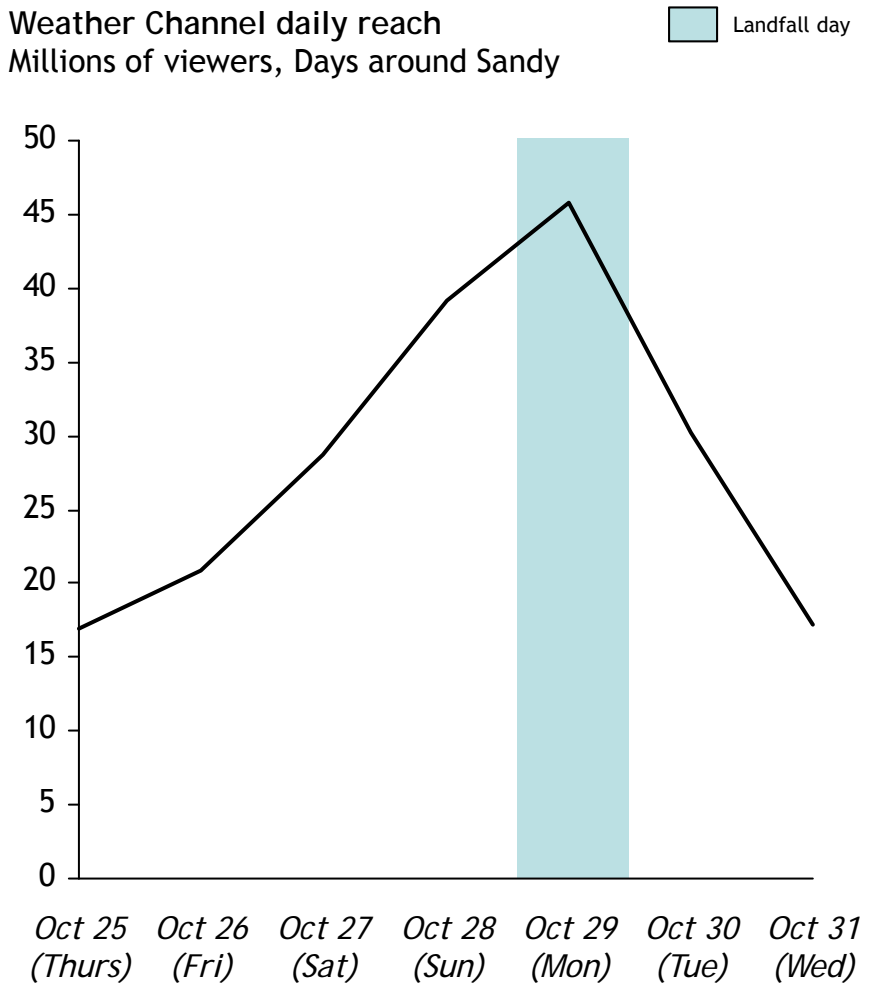
Reach among cable TV networks  
Millions of viewers, Day of Sandy landfall



2M people on average were watching the network at a given moment during the day of Sandy's landfall

This viewership is sustained leading up to and after the severe weather event itself

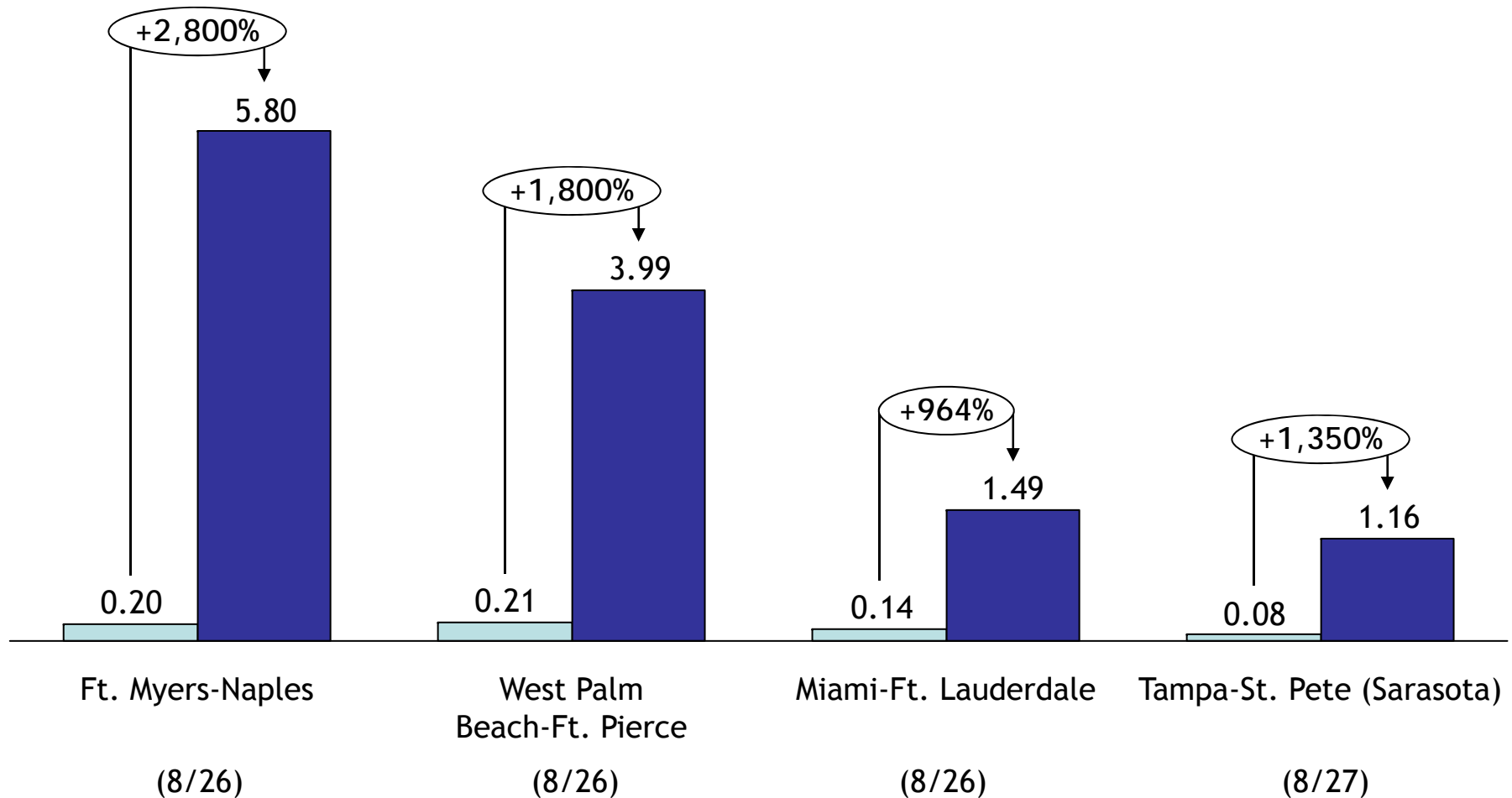
Weather Channel daily reach  
Millions of viewers, Days around Sandy



## ...as well as in local markets where the severe event is taking place

Viewership of The Weather Channel in local market  
Average vs. Hurricane Isaac day of landfall, Millions of viewers

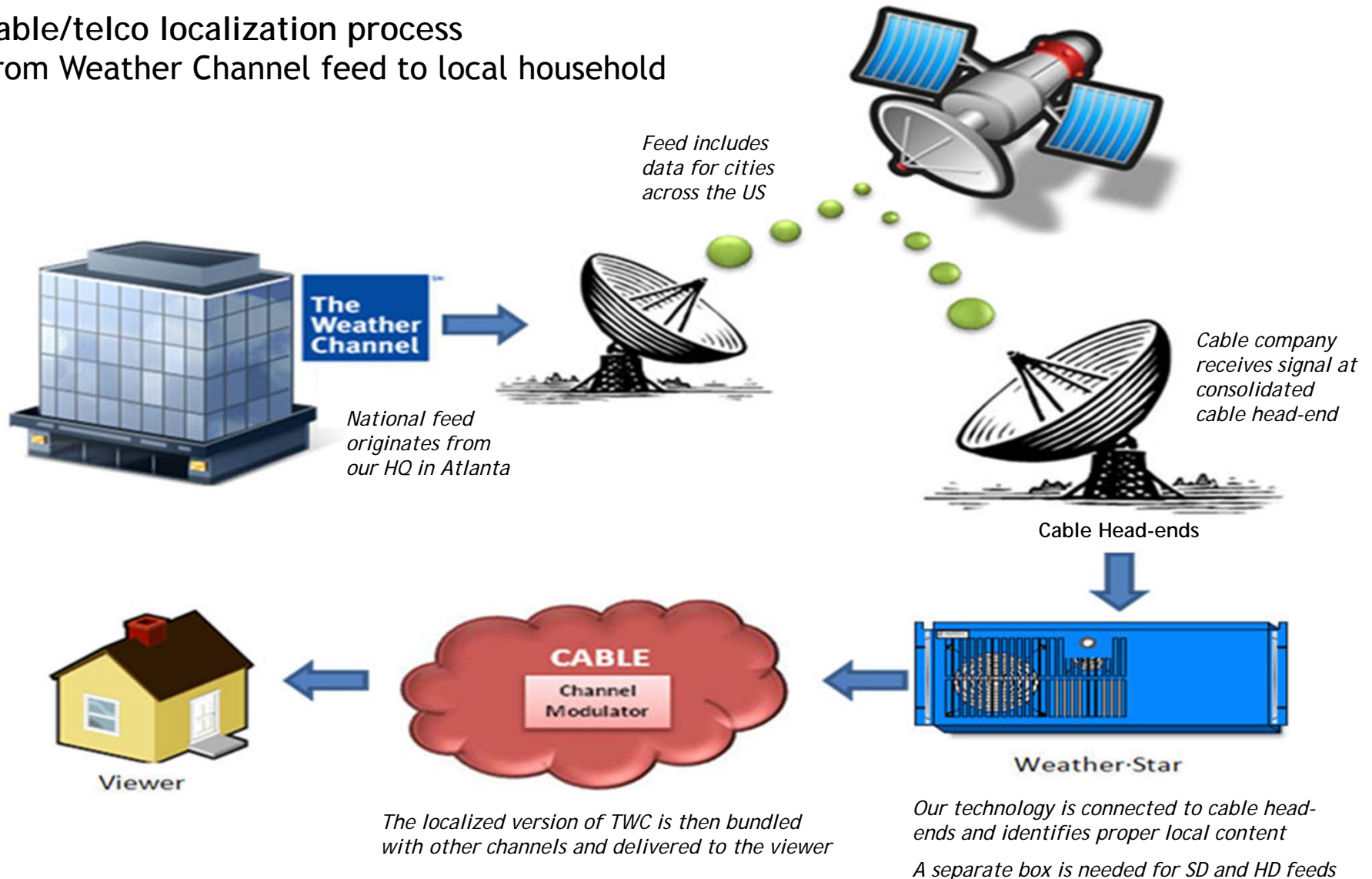
Average  
Day of landfall



# For cable and telco, we built and installed a network of thousands of WeatherStar boxes to specify local coverage

## Cable/telco localization process

From Weather Channel feed to local household

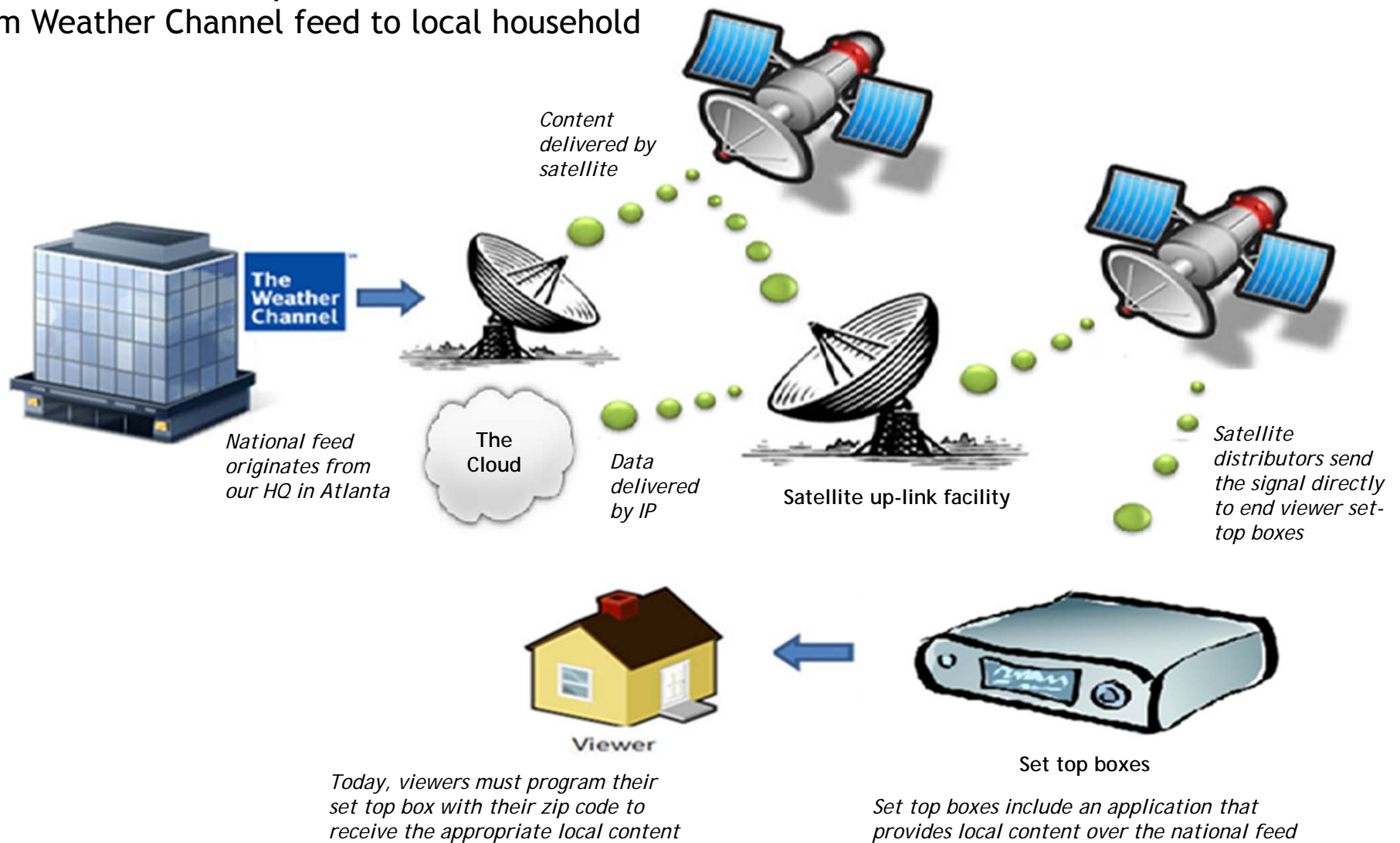




# For satellite, a solution proves more challenging as a single satellite serves a wide range of regions across the US

## Satellite localization process

From Weather Channel feed to local household



# Obstacles in the way of a solution that will allow us to provide video descriptions of severe weather alerts

Challenge	Detail
Undeveloped solution	<ul style="list-style-type: none"><li>• In cable, Weather Stars cannot support full video description alerts without significant development</li><li>• In satellite, no single solution due to wide range of set-top box and application versions</li></ul>
Significant cost	<ul style="list-style-type: none"><li>• 90% of hardware would need to be replaced in order to provide alerts via SAP</li><li>• Estimated cost of doing so is \$14M for both hardware and software development</li><li>• Major cost necessary to program hardware to read any city/county name or implement text to speech</li></ul>
Service Quality	<ul style="list-style-type: none"><li>• The Weather Channel provides viewers with video crawls featuring full NW S alerts and warnings - which sometimes are several minutes long</li><li>• Verbatim audio of these messages would interfere with on-screen programming and video description</li></ul>
MVPD alignment	<ul style="list-style-type: none"><li>• Historically, cable companies have:<ul style="list-style-type: none"><li>– Been reluctant to provide insight into what boxes are active and what geographic areas they serve</li><li>– Consolidated head-ends without reconnecting Weather Stars, making geographic region less precise</li></ul></li><li>• Satellite providers have not traditionally provided access to their application data API</li></ul>

# In the interest of public safety, we can resolve these obstacles in collaboration with MVPDs and FCC

## Assistance from the FCC

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- 1 Time: The Weather Channel needs 18-24 months to identify and fully implement a solution
  - 2 Flexibility: The Weather Channel needs to be able to provide a video description solution that does not necessarily utilize the SAP channel and/or does not require aural alerts to be verbatim to the text provided visually
  - 3 MVPD cooperation: Localized alerts are a matter of public safety and welfare; the FCC should provide guidance to MVPDs to enable/facilitate delivery of important safety information through our technology:
    - a) MVPDs should recognize the critical life-saving benefits of our localization technology and cooperate with TWC to enable/facilitate a solution
    - b) MVPDs should enable/facilitate the delivery of safety information via our localization solution across their networks in the most localized manner on commercially reasonable terms
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